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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Written statement submitted by the International Union of Socialist Youth, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[10 February 1999]

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1. The harsh suppression of a peaceful demonstration inside Drapchi Prison, Lhasa, in May 1998, on the outskirts of the Tibetan capital Lhasa was evidence of China's absolute disregard of the Tibetans' right to freedom of expression. There are confirmed reports of 12 prisoners who died as a result, and many more were injured after Chinese security forces fired on the prisoners. Others who participated in the demonstration have endured severe repercussions. The demonstration occurred at the time of an official visit by European Union Troika Ambassadors, yet the Chinese monopoly over information prevented the delegation from finding out about the incident until they had left the region.

2. Following the EU Troika mission, Tibet was also visited by members of the Danish Parliament's Foreign Policy Committee in August 1998, and by the United Nations High Commissioner for Human Rights, Mary Robinson, in September. Visiting delegations reportedly expressed dissatisfaction with the limits imposed on their visits by the Chinese authorities. Reports now indicate that the Chinese authorities have detained two monks from Drepung monastery for their involvement in the preparation of a letter addressed to the High Commissioner for Human Rights. The whereabouts of the monks remain unknown. Another report states that the prison terms of three Tibetans were extended by up to 10 years following their protest against the Chinese Government during a visit to the jail by United Nations delegates in October.

3. On 5 October 1998, the People's Republic of China signed the International Covenant on Civil and Political Rights. This is a welcome gesture which awaits evidence of suitable adaptations to bring China's domestic laws and practice into line with the international standards. Present practices transgress international human rights standards, and although improvements have been made in some areas, a more comprehensive scheme for the protection of the Tibetans' human rights must be implemented immediately. Despite the obligation to ensure that all citizens can enjoy freedom of expression and opinion, the People's Republic of China has actively violated such rights.

4. The 1996 amendments to the Chinese Criminal Procedure Law failed to implement mechanisms to protect individuals from arbitrary arrest and detention. According to information received by our organization, the vast majority of the 135 arrests of Tibetans in 1998 were arbitrary. Imprisoned on ambiguous charges of "endangering State security", incarcerated for exercising their basic rights, the prisoners are denied many rights whilst detained. Legal proceedings fail to meet international standards; the accused are often denied legal representation, visitation rights and the right to appeal. They are often subjected to torture in order to extract a "confession", and many are detained without any judicial proceeding at all. Twelve new cases of such disappearances were reported in Tibet in 1998 despite the concern expressed by the Working Group on Enforced or Involuntary Disappearance on the "emerging pattern" of disappearances in Tibet.

5. According to Amnesty International, there are more than 500 Tibetan political prisoners in Chinese prisons. The rate of imprisonment for political reasons in Tibet is far greater than in other areas under Chinese

rule. It is indicative of the extent of the comprehensive campaign of the Chinese authorities to eliminate any views contrary to official policy in Tibet.

6. Torture constitutes a profound abuse of human rights yet despite being party to various international conventions which outlaw the practice, the Chinese authorities continue to tacitly endorse its use in detention centres and prisons. The ultimate violation of human rights is the termination of life. In 1998, 19 Tibetans died prematurely whilst in detention. Twelve of these deaths resulted from the Chinese suppression of the peaceful demonstration in Drapchi prison on 1 and 4 May. Since 1986, the deaths of 60 known Tibetans in detention have been recorded.

7. Contrary to international and domestic regulations, the rights of Tibetan children are not being fully protected by the Chinese Government. Due to subsistence difficulties, inadequate facilities and discriminatory measures, many Tibetan children are denied access to adequate health care and schooling. The health of Tibetan children is of a substandard level. In some areas the weight-for-age ratio has been classified as "unacceptably low" and reports indicate that chronic malnutrition is restricting the growth of Tibetan children.

8. China's comprehensive repression of religion in Tibet was intensified in 1998 with renewed calls for the transformation of Tibet into "an atheist" region where "Communist spiritual civilization" should prevail. An overwhelming 9,977 monks and nuns have been expelled for opposing China's "Strike Hard" campaign launched in 1996 at monasteries and nunneries, reports by human rights organizations say. Another alarming development, reported by the daily Qinghai on 5 October 1998, was that 49 elderly monks of the Youning monastery in the "Haidong Tibetan Autonomous Prefecture" of the so-called "Qinghai" province were "retired" by the Chinese authorities. Such a measure is being seen as a severe threat to the survival of the Tibetan Buddhist tradition in the monasteries as senior monks have a crucial role in the transmission of religious teachings. The government of TAR (Tibet Autonomous Region) says it has now completed the re-education of 30,000 of Tibet's 46,000 monks and nuns, a process involving ridding their religious institutions and individual houses of pictures of the Dalai Lama and then eradicating him from their loyalties and daily prayers. They are taught that their spiritual leader is a "splitist" determined to divide the motherland. Furthermore, they are required to acknowledge the Beijing-appointed Panchen Lama and denounce the reincarnation approved by His Holiness the Dalai Lama, the nine-year-old Gedhun Choekyi Nyima. Those who refuse will be punished with expulsion from the monastery or nunnery or lose their job.

9. The implantation of Chinese settlers into Tibet is perhaps the most significant threat to the Tibetan people as a whole today. If the Chinese authorities are permitted to continue the present policies of population transfer, Tibet may face total marginalization; a fate not unlike that of Inner Mongolia, Manchuria and Eastern Turkestan (Xinjiang).

10. The effects of the deliberate strategy are already apparent. Tibetans are denied complete access to the political sector where important issues affecting them are decided. As a result, they are vulnerable to exploitation

and harmful policies. Massive economic development, the catalyst for much of the Chinese settlement, is exploiting the land and destroying the livelihood of the indigenous people. The traditional subsistence economy is being replaced by a "market economy" from which the Tibetans are alienated. Subsistence capabilities are being severely diminished, which compromises all other rights.

11. Increased Chinese settlements, discriminatory policies and inadequate social welfare combine to create a hostile economic environment for Tibetans. More than 70 per cent of Tibetans in the TAR now live below the poverty line. China's economic development programmes are repeatedly failing to alleviate the poverty and new means of financial assistance must be employed.

12. These difficulties are compounded by harsh taxation policies that have been implemented without concessions. Tibetans are being greatly affected by these demands which sometimes constitute as much as half their salary. China plans to equate tax revenue from the TAR with that of the rest of China and with so many TAR residents living in poverty, such an intention is clearly abusive. It is essential that China relax the taxation policies and use the annual subsidy for the TAR to raise the living standard of Tibetans. Until this is achieved, many basic human rights cannot be assured.

13. Despite being a party to the International Convention on the Elimination of All Forms of Racial Discrimination, domestic laws fail to provide Tibetans with an environment free from discrimination. Some government-endorsed practices are blatantly discriminatory, to the detriment of Tibetans. Tibetans also suffer distinct biases in education and health care which greatly affects both their cultural and physical development. The continuous influx of Chinese settlers is also resulting in discrimination in the employment sector and the Chinese authorities have yet to introduce steps to rectify this issue.

14. By the end of 1998, the People's Republic of China had signed the two International Covenants on Human Rights. This gives rise to the hope that effective measures will soon be implemented to align China's domestic laws with the international norms in order to cease the current violations of human rights. The cultural and physical survival of the Tibetan population in Tibet is greatly threatened today by continual infringements of these rights. China must actively address this issue. Continual international pressure is essential in encouraging the Chinese Government to abide by the regulations of the Covenants and other international human rights treaties to which China is a party.

15. In conclusion, the International Union of Socialist Youth urges the Commission on Human Rights to consider appointing a special rapporteur to investigate the human rights situation in Tibet as recommended by the International Commission of Jurists in its report, "Tibet: Human Rights and The Rule of Law" and put forward by the Tibetan Youth Congress. We further urge the Commission to censure the People's Republic of China for committing gross and systematic violations of human rights and fundamental freedoms in Tibet for the past more than four decades.